

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL D. HARRISON,

Plaintiff,

v.

JOHNWILLY OSUJI,

Defendant.

No. 1:23-cv-01413-KES-SAB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION FOR FAILURE TO STATE A
CLAIM

Doc. 11

Plaintiff Michael D. Harrison is proceeding pro se in this action brought pursuant to 42 U.S.C. § 1983. Doc. 1. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 21, 2023, the assigned magistrate judge screened the complaint and issued findings and recommendations recommending that this action be dismissed for failure to state a claim. Doc. 11. The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen days after service. *Id.* Plaintiff filed objections on December 4, 2023. Doc. 13.

In his objections, plaintiff states that he is in agreement with the findings and recommendations and requests a return of the \$402.00 filing fee for this action. *Id.* at 1–2. He also filed a motion requesting the return of the filing fee on April 3, 2024, Doc. 14, which the assigned magistrate judge denied by separate order, Doc. 15. Accordingly, that request is moot.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1), this Court has conducted a de
2 novo review of the case. Having carefully reviewed the file, including plaintiff's objections, the
3 Court concludes that the findings and recommendations are supported by the record and by
4 proper analysis.

5 Based upon the foregoing,

- 6 1. The findings and recommendations issued on November 21, 2023, Doc. 11, are
7 ADOPTED in full;
8 2. This action is DISMISSED with prejudice for failure to state a claim; and
9 3. The Clerk of the Court is directed to close this case.

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12 IT IS SO ORDERED.

13 Dated: June 8, 2025

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UNITED STATES DISTRICT JUDGE